

**Introduced by Senator Cox**

January 29, 2008

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An act to add Section 56328.7 to the Government Code, relating to local agencies.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1131, as introduced, Cox. Local Agency Formation Commission: Calaveras County.

The Cortese-Knox Local Government Reorganization Act of 1985 prescribes the composition of members of a Local Agency Formation Commission (LAFCO), and specifies the procedures for the selection of members for independent special district representation on the commission.

This bill would increase from 2 to 3 the independent special district representatives seated on the Calaveras County Local Agency Formation Commission, and would require one member to be a permanent seat filled by a member of the Board of Directors of the Calaveras County Water District.

This bill would increase from 1 to 2 the public representatives, members of the commission, would require one member to be selected by the LAFCO Commissioners appointed by the City of Angels and the County of Calaveras, and would authorize appointment of alternate members.

This bill would make certain findings and declarations regarding the inapplicability of a general statute within the meaning of Section 16 of Article IV of the California Constitution.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares the following:

2 (a) That Calaveras County Local Agency Formation  
3 Commission (LAFCO) currently has independent special district  
4 representatives seated on LAFCO, and it is important that the  
5 Calaveras County Water District have representation in LAFCO  
6 affairs.

7 (b) That in order to strengthen the voice that the Calaveras  
8 County Water District will have in LAFCO affairs, it is necessary  
9 to have one additional permanent special district representative  
10 from the Calaveras County Water District, and one additional  
11 public member, seated on LAFCO.

12 SEC. 2. Section 56328.7 is added to the Government Code, to  
13 read:

14 56328.7. (a) In Calaveras County, there shall be nine members  
15 seated on the commission.

16 (b) Notwithstanding subdivision (c) of Section 56325, three  
17 independent special district representatives shall be seated on the  
18 commission. At least one of these special district representatives  
19 shall be a permanent seat filled by a member of the Board of  
20 Directors of the Calaveras County Water District.

21 (b) Notwithstanding subdivision (d) of Section 56325, there  
22 shall be two members of the general public seated on the  
23 commission. At least one of the public members shall be selected  
24 by LAFCO Commissioners appointed by the City of Angels and  
25 the County of Calaveras. Those commission members may also  
26 appoint an alternate public member, who is not a member of the  
27 governing body of any local agency, who may serve and vote in  
28 the place of the regular public member appointed pursuant to this  
29 subdivision if that regular public member is absent or disqualifies  
30 himself or herself from participating in a meeting of the  
31 commission. If the office of the regular public member appointed  
32 pursuant to this subdivision becomes vacant, the alternate member  
33 may serve and vote in place of that former regular public member

1 until the appointment and qualification of a regular public member  
2 pursuant to this subdivision to fill the vacancy.

3 SEC. 3. Due to the unique circumstance concerning the  
4 Calaveras County Local Agency Formation Commission, it is  
5 necessary that the Calaveras County Water District have  
6 representation on the commission, and the Legislature finds and  
7 declares that a general statute cannot be made applicable within  
8 the meaning of Section 16 of Article IV of the California  
9 Constitution.

10 SEC. 4. No reimbursement is required by this act pursuant to  
11 Section 6 of Article XIII B of the California Constitution because  
12 the only costs that may be incurred by a local agency or school  
13 district are the result of a program for which legislative authority  
14 was requested by that local agency or school district, within the  
15 meaning of Section 17556 of the Government Code and Section  
16 6 of Article XIII B of the California Constitution.